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**TELECOPY****PLEASE DELIVER AS SOON AS POSSIBLE****DATE:** November 21, 2003**TO:** Examiner David Kruse**FROM:** W. Murray Spruill

Appl. Serial No. 09/997,900, filed November 30, 2001  
Attorney Docket No. 043753/241148 (5849-20A)

Attached is a copy of our response to the Office Action dated April 22, 2003.

**NO. OF PAGES:** 22  
(Including cover page)

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Date Mailed: 06-19-03  
Atty. Dkt. No. 043753/241148 (5849-20A)

Application No. 09/997,900; Filing Date November 30, 2001  
Inventor(s): Kakefuda *et al.*; Title of Invention: GENES AND VECTORS FOR  
CONFERRING HERBICIDE RESISTANCE IN PLANTS  
Documents Enclosed: Amendment Cover (2 pgs.); Amendment (16 pgs.)

Check Enclosed \$84.00

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6/19/03 Commissioner for Patents  
addl claim

RASF Atkengesellschaft 5849-20A  
043753 / 241148

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Attorney's Docket No. 043753/241148 (5849-20A)

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Kakefuda *et al.* Confirmation No.: 5699  
 Appl. No.: 09/997,900 Group Art Unit: 1638  
 Filed: November 30, 2001 Examiner: David H. Kruse  
 For: GENES AND VECTORS FOR CONFERRING HERBICIDE RESISTANCE IN PLANTS

June 19, 2003

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Transmitted herewith is an AMENDMENT in the above-identified patent application.

- ☐ Applicant claims small entity status. See 37 C.F.R. § 1.27.  
☐ No additional fee is required.

The fee has been calculated as shown below:

(COL. 1)		(COL. 2)	(COL. 3)	SMALL ENTITY		OTHER THAN A SMALL ENTITY	
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE	OR RATE	ADDIT. FEE
TOTAL	* 18	** 21	= 0	X 9=	\$	X 18=	\$
INDEP	* 6	*** 5	= 1	X 42=	\$	X 84=	\$ 84
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+140=	\$	+280=	\$
				TOTAL ADD FEE \$		OR TOTAL	\$ 84

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.  
 \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.  
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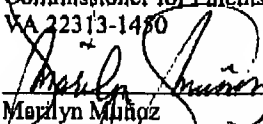
In re: Kakefuda et al.  
Appl. No.: 09/997,900  
Filed: November 30, 2001  
Atty. Dock. No. 043753/241148 (5849-20A)  
Page 2

- ☐ Please charge my Deposit Account No. 16-0605 in the amount of \$
- ☒ A check in the amount \$84 to cover the additional fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any deficiency in payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-0605.
- ☒ Any additional filing fees required under 37 C.F.R. § 1.16 for the presentation of extra claims.
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17.

Respectfully submitted,



W. Murray Spruil  
Registration No. 32,943  
Attorney of Record

<b>CUSTOMER NO. 00826</b> <b>ALSTON &amp; BIRD LLP</b> Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000 Tel Raleigh Office (919) 862-2200 Fax Raleigh Office (919) 862-2260	"Express Mail" mailing label number EV 185285003 US Date of Deposit June 19, 2003  I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450  Marilyn Muñoz
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